

PRP COMMITTEE FOR THE NL INDUSTRIES/TARACORP SITE

Contact:

Dennis P. Reis
Sidley & Austin
One First National Plaza
Suite 5400
Chicago, IL 60603

October 24, 1990

Brad Bradley (5HS-11)
United States Environmental
Protection Agency
Remedial and Enforcement
Response Branch
230 South Dearborn Street
Chicago, IL 60604

Re: NL Industries/Taracorp Site, Granite City, IL

Dear Mr. Bradley:

We are writing on behalf of the parties identified in Attachment A to supplement the offer we forwarded to you on August 31, 1990 regarding the site referenced above. Based on discussions between the Remedial Project Manager and the Technical Subcommittee of the PRP Committee for the NL Industries/Taracorp Site, we propose that the members of the PRP Committee commit to perform discrete tasks listed in the Record of Decision issued by the United States Environmental Protection Agency ("U.S. EPA") regarding the site. The work we would agree to perform is summarized in Attachment B.

As with the August 31 offer, this supplement is made without any admission of fact or liability by any of the parties listed in Exhibit A, and each party reserves all rights it may have at law or in equity to maintain or defend against any claim or demand whatsoever concerning the Granite City site and surrounding area. Also, this supplement to the original offer should not be construed in any way as diminishing the validity of previous comments on U.S. EPA's Record of Decision. Rather, we are seeking to resolve potential liability to the United States through a negotiated compromise.

In return for performance of the tasks referenced in Attachment B, we request appropriate language in a consent decree

EPA Region 5 Records Ctr.



257808

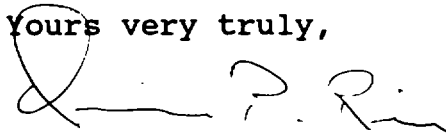
Brad Bradley
October 24, 1990
Page 2

to protect members of our group from liability for other site activities. We would seek to negotiate appropriate releases, covenants not to sue, reopener clauses and similar protective provisions.

It is our intention to include in any consent decree which may result from our negotiations with U.S. EPA as many similarly situated parties as care to join, including any of the 362 parties identified by U.S. EPA in its PRP database incoming transactions list. The PRP group's Allocation and De Minimis Party Subcommittees are currently structuring a settlement among such parties to fund our proposal. We would expect U.S. EPA to be receptive to including in a Consent Decree appropriate de minimis party provisions. We would retain our rights to pursue cost recovery and contribution from entities not a party to the consent decree.

We are anxious to begin negotiations toward final resolution of RD/RA related activities and will make ourselves available at your earliest convenience to meet. If you have any questions or comments, please call me (853-2659).

Yours very truly,



Dennis P. Reis

DPR:jdt

cc: Steven Siegel
Parties Listed on Exhibit A
Site PRP Group

ATTACHMENT A

SUPPLEMENTAL GOOD FAITH OFFER PARTICIPANTS

Ace Comb Company Inc.
Allied-Signal Inc. (for C&D Battery)
Allied-Signal Inc. (for Prestolite Battery)
Alter Trading Corporation
Asarco Incorporated
Ashley Salvage Co., Inc.
AT&T
Beldon Scrap & Steel, Inc.
Berlinsky Scrap Corp.
Bob Keller Battery Warehouse, Inc.
Bryan Manufacturing Company
Campbell Soup Company
CBC, Inc.
Cedartown Industries, Inc.
Chrysler Corporation
C. L. Downey Company
CNC Industries, Inc.
Coilcraft (for Otis Radio & Electric Corp.)
Cooper Industries (for The Bussmann Division of McGraw-Edison)
Crown Cork & Seal Co.
Douglas Battery Manufacturing Co.
Exide Corporation (for ESB)
Exide Corporation (for General Battery Corporation)
Federal Cartridge Corporation
Ford Motor Company
General Motors Corporation
General Motors Corporation (for Delco-Remy Div. of G.M.)
General Motors Corporation (for Fisher Body Div. of G.M.)
General Waste Products, Inc.
Gopher Smelting and Refining Co.
Gould, Inc.
Hornady Mfg. (for Western Gun & Supply)
Imperial Smelting Corporation
J. Solomon & Sons, Inc.
Johnson Controls (for Globe Union)
Lopez Scrap Metal, Inc.
Kamen Iron & Metal of Kamen, Inc.
M. Katch & Co., Inc.
Mallin Bros. Co.
Mayfield Manufacturing Company (for 3-H Industries)
Mid-Missouri Metals Corp.
Missouri Iron & Metal Company, Inc.
M. Gervich & Sons Incorporated
Morris Tick Company, Inc.
Northwestern Bell Telephone Co. dba/ US West Communications
Olin Corporation

Overland Metals
Pet Incorporated
Phillip Brothers, Inc.
Price-Watson Company
Ranken Technical Institute
RBS Industries, Inc. (for Milford Rivet and Machine Company)
Rich Metals Co.
Roth Brothers Smelting Corporation
Samuel Hide & Metal Co., Inc.
Sanders Lead Co., Inc.
Shapiro Brothers
Shapiro Sales Co.
Sioux City Compressed Steel
Sol Tick, Inc. (d/b/a Herb Tick, Inc.)
Strauss Industries (for Herman Strauss, Inc.)
U.S. Department of Energy (for Stanford Linear Accelerator)
U.S.S. Lead Refinery, Inc.
Waddell Bros. Metal Co.
Wallach Iron & Metal
World Color Press, Inc.-Spartan Printing Division

ATTACHMENT B

Soil Sampling/Inspection

Soil lead sampling shall be conducted in Area 1 to determine the depth of excavation to achieve a 1000 ppm level. The excavation will not exceed the depth required for proper asphaltting.

Taracorp Drums

All drums on the Taracorp pile shall be removed and transported to an off-site secondary lead smelter for lead recovery.

SLLR Pile

All Wastes contained in the SLLR pile shall be consolidated into the Taracorp pile.

Area 1

Based on the sampling outlined in the Soil Sampling/Transaction paragraph above, all unpaved portions of Area 1, including the material which is beneath the SLLR pile, with lead concentrations greater than 1000 ppm shall be excavated and consolidated with the Taracorp pile. The surfaces shall be restored with asphalt or seed, in accordance with present usage. Areas of heavy vehicle traffic will require a minimum 12" excavation prior to asphaltting.

Dust Control Measures

During all excavation, transportation, and consolidation activities conducted as part of the remedy, dust control measures shall be implemented as necessary to prevent the generation of visible emissions during these activities.

RCRA-Complaint Multimedia Cap

After all materials have been transported to and consolidated with the Taracorp pile, the consolidated pile shall be graded and capped with a RCRA-complaint, multimedia cap. The cap shall be constructed as indicated in Figure 8 (or an EPA approved alternative) and shall meet or exceed the requirements of RCRA Subtitle C, and Illinois State law. The proposed construction does not lie within any floodway in the area.

Bottom Liner

With the exception of the existing Taracorp pile, a clay bottom liner shall be constructed on all areas upon which consolidated material are to be placed as part of this remedy. Portions of

this liner on Area 1 shall be constructed after Area 1 has been excavated to a 1000 ppm lead cleanup level.

Institutional Controls/Fencing

Institutional controls, such as site access restrictions, restrictive covenants, deed restrictions, and property transfer restrictions, shall be implemented for the properties which contain the expanded Taracorp pile to prohibit future development of the site and any activities that would in any way reduce the effectiveness of the cap in achieving remedial action goals.

The facility shall be fenced in a manner sufficient to prevent access to the expanded Taracorp pile. Warning signs shall be posted at 200-foot intervals along the advising that the area is hazardous due to chemicals in the waste materials and soils beneath the cap which may pose a risk to public health.

Groundwater Monitoring

A minimum of one upgradient and three downgradient deep wells shall be installed to monitor water quality in the lower portion of the upper aquifer. Monitoring of these wells and the 14 existing site wells shall be conducted semi-annually during the remediation. Analyses will include a full scan Hazardous Substance List organics and inorganics.

Air Monitoring

Air monitoring for lead and PM₁₀ (particular matter less than 10 microns) shall be performed during the remediation. The frequency of this sampling will be determined in the Health and Safety Plan.

Drainage Control

Engineering controls will be implemented to minimize contaminant transport during the remediation.